

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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UNITED STATES OF AMERICA

v.

SHAYNE PARKER

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14-mj-91-01-DL
April 21, 2014
3:20 p.m.

TRANSCRIPT OF BAIL HEARING
BEFORE THE HONORABLE JOSEPH N. LAPLANTE

Appearances:

For the Government: Debra M. Walsh, AUSA
U.S. Attorney's Office
53 Pleasant Street
Concord, NH 03301

For the Defendant: Donald A. Kennedy, Esq.
Law Office of Donald A. Kennedy
78 West Merrimack Street
Manchester, NH 03101

Probation Officer: Karin Kinnan

1 BEFORE THE COURT

2 THE CLERK: Court has before it for
3 consideration a bail hearing in the matter of United
4 States of America versus Shayne Parker, Case No.
5 14-mj-91-01-DL.

6 THE COURT: We're here for a continued
7 detention and probable cause hearing, although probable
8 cause is waived pursuant to this proceeding, to
9 determine detention or release for Mr. Shayne Parker.
10 Appearing for the prosecution is Assistant United States
11 Attorney Deb Walsh. Appearing for the defendant is
12 Donald Kennedy, Esquire. And what I've got in front of
13 me looks like the result of an agreement between the
14 parties agreeing to terms of release for Mr. Parker.
15 The question is for the Court to approve. There are a
16 number of conditions. Good number of conditions. The
17 most important one of which is what appears to be a
18 third-party custodianship by Ms. Laurie Connor, and
19 according to this, the court order I'm being asked to
20 sign, Mr. Parker will live with Ms. Connor at her home
21 in Dorchester with a ten p.m. curfew. Is that right?

22 (Inaudible.)

23 All right. If he got a job, I'm sure the
24 probation officer will make that modification, but I
25 think getting a job would be a good idea, something

1 steadier than his new job. If his new job is steady,
2 that's fine, too. If he's going to be out on release,
3 he's got to work. If he's not working within a week or
4 so, I want to know. All right?

5 Question, Mr. Kennedy, what is the
6 relationship between the defendant and Laurie Connor?

7 MR. KENNEDY: My understanding is he's the
8 father of two of her children.

9 MS. CONNOR: Yes.

10 THE COURT: All right. So you know each other
11 very well.

12 MS. CONNOR: Yes.

13 THE COURT: All right. How old are those two
14 kids?

15 MR. KENNEDY: 13 and 7.

16 THE COURT: Mr. Parker, do you see much of
17 these two kids? Do you see them all the time?

18 THE DEFENDANT: Yes.

19 THE COURT: Frequently? Okay. In other
20 words, I'm not going to be causing any trauma to these
21 kids by having him living there? That would be fine?

22 All right. Here's the conditions of release.
23 You can be seated, Mr. Parker.

24 You shall not commit any offense in violation
25 of federal, state, or local law. These are the

1 conditions of your release.

2 You shall cooperate in the collection of a DNA
3 sample by U.S. Probation.

4 You shall immediately advise the Court,
5 defense counsel, and the U.S. Attorney in writing before
6 any change in address or telephone number.

7 You shall appear at all proceedings as
8 required and surrender for service of any sentence
9 imposed as directed.

10 You are placed in the custody of Laurie Connor
11 at 66 Manor Street in Dorchester, Massachusetts, who has
12 agreed to supervise you in accordance with all of the
13 conditions of release, to use every effort to ensure
14 your appearance in court, and to notify the Court
15 immediately in the event you violate any conditions.

16 You shall report on a regular basis as
17 directed to your probation officer.

18 You shall maintain and actively seek
19 employment. And I mean that. You've got to be working.
20 There's no reason for you to be out if you're not
21 working. You're facing weapons charges. None
22 whatsoever. This is a risk we're taking and I want the
23 risk to be as small and as minimized as possible.

24 You are to refrain from possessing a firearm,
25 destructive device, or any dangerous weapon. Do you

1 have any firearms? If you come into possession of any
2 or realize that you have possession of any you must
3 surrender them to the clerk of the U.S. District Court
4 here.

5 You must surrender your passport to the clerk
6 of court here. Do you have a passport? You may not
7 obtain a passport.

8 You must submit to any method of testing
9 required by U.S. Probation for determining whether you
10 are using a prohibited substance. Such methods may be
11 used with random frequency include urine testing,
12 wearing of a sweat patch, alcohol testing, and any form
13 of prohibited substance screening or testing.

14 You are to refrain from obstructing or
15 attempting to obstruct, tamper in any fashion with the
16 efficiency and accuracy of any prohibited substance,
17 testing or electronic monitoring, which are required.
18 In other words, don't be monkeying around with your
19 urine, don't be trying to eat certain things to mask any
20 kind of relapse or drug use you may have. If you have a
21 slip-up, just report it to your probation officer.
22 Don't try to hide it because it's just going to make it
23 worse.

24 You're to meaningfully participate in and
25 complete a program of inpatient or outpatient substance

1 abuse therapy if deemed advisable by U.S. Probation.

2 Your travel is restricted to New Hampshire and
3 Massachusetts. If you go outside those three states,
4 you have to get permission from your probation officer.

5 You are to avoid all contact, direct or
6 indirect, with any persons who are or may become a
7 victim or potential witness in the subject investigation
8 or prosecution, including but not limited to Ronald
9 Scott, Mitch Riddell, Sandra Egbert, Melanie Lamott, and
10 Richard Allan Burke. No contact with any of them.

11 You are to refrain from the excessive use of
12 alcohol.

13 Your curfew is that you are restricted to your
14 residence at Ms. Connor's house every day from ten p.m.
15 to six a.m. Can you live with that, ten to six? Okay.
16 It can be changed as directed by U.S. Probation.

17 You are to refrain from the use of unlawful
18 possession of any narcotic drug or any other controlled
19 substance as defined at 21 U.S. Code, Section 802,
20 unless prescribed by a licensed medical practitioner.

21 Those are the conditions of your release. Do
22 you understand?

23 THE DEFENDANT: Yes.

24 THE COURT: Now, Ms. Connor, I just want you
25 to understand, I don't know if you've ever been in this

1 situation before. You haven't, okay. This probably
2 seems strange, a little bit different. I was told you
3 weren't aware he was going to have to live with you.
4 Here's the situation though. He's been charged in
5 federal court with weapons violations, things we take
6 very seriously. But I'm convinced that he's probably
7 not a risk to be on the street if he is supervised. The
8 probation officer can't supervise him all the time. I'm
9 not asking you to baby-sit him. I'm just asking that
10 you be trustworthy and that at night he's at your house
11 from ten to six. Now, before you get into this because
12 I won't sign this unless you really are comfortable with
13 this because if you're not I don't want to put you in
14 that position. Here's the thing. If he shows up drunk,
15 if he shows up drugging, if he does anything around your
16 house that's inappropriate, if he violates any of those
17 rules that I have just laid out, we are expecting you to
18 let us know, and that's not going to be easy. This is a
19 man you know very well and you're probably not going to
20 be comfortable reporting him. Nonetheless, under this
21 order, if he violates, you are obligated to report him.
22 Do you understand that?

23 MS. CONNOR: Yes.

24 THE COURT: Can you live with that?

25 MS. CONNOR: Yes.

1 THE COURT: All right. I don't doubt you. I
2 just want you to have your eyes open. Do you
3 understand?

4 MS. KINNAN: Your Honor?

5 THE COURT: Yes.

6 MS. KINNAN: I believe there was one more
7 condition -- (inaudible).

8 THE COURT: I will check it out. (Pause.)
9 You are also to report as soon as possible to the
10 supervising officer any contact with law enforcement
11 personnel including but not limited to any arrest,
12 questioning, or traffic stop. If you have some kind of
13 contact with law enforcement, you need to let your
14 probation officer know. Do you understand? They find
15 out pretty quickly anyway because the minute somebody
16 puts your name into the system they find out. It's way
17 better for us to find out from you than from them.

18 All right. Ms. Connor, I do want you to know
19 I appreciate what you're doing here. I don't just speak
20 for myself as a person but for the Court. It's helpful
21 and I have every reason to believe it's going to go
22 fine, but if it doesn't, please let us know.

23 MS. CONNOR: I will.

24 THE COURT: All right then. Anything further
25 for the Court?

1 ALL: No, your Honor.

2 THE COURT: I appreciate your work here,
3 counsel, and your presentations. Thank you.

4 ALL: Thank you.

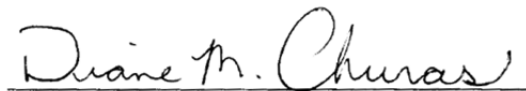
5 THE COURT: We are in recess.

6 (Adjourned at 3:30 p.m.)
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C E R T I F I C A T E

I, Diane M. Churas, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill, ability and belief.

Submitted: 6/3/14



DIANE M. CHURAS, LCR, RPR, CRR
LICENSED COURT REPORTER, NO. 16
STATE OF NEW HAMPSHIRE